

1 MICHAEL MCCURTY,  
2 Plaintiff,  
3 v.  
4 B. AGUIRRE, et al.,  
5 Defendants.

6 Case No. [19-cv-03090-YGR](#) (PR)

7 **ORDER GRANTING REQUESTS TO  
8 STAY ACTION AND TO REFER  
9 ACTION FOR SETTLEMENT  
10 PROCEEDINGS; DIRECTIONS TO  
11 CLERK**

12 Plaintiff, a state prisoner who is currently incarcerated at California Training Facility  
13 (“CTF”), has filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983, alleging various  
14 violations of his federal civil rights against several CTF officials.

15 The parties have requested that a settlement conference be scheduled to resolve their  
16 disputes and that the case be stayed in anticipation of settlement proceedings.<sup>1</sup> Dkt. 18. Such  
17 requests are GRANTED.

18 Accordingly, the Court hereby REFERS this case to Magistrate Judge Robert M. Illman for  
19 settlement proceedings pursuant to the Pro Se Prisoner Mediation Program. Such proceedings  
20 shall take place within 120 days of the date this Order is filed, or as soon thereafter as Magistrate  
21 Judge Illman’s calendar will permit. Magistrate Judge Illman shall coordinate a place, time and  
22 date for one or more settlement conferences with all interested parties and/or their representatives  
23 and, within ten (10) days after the conclusion of all settlement proceedings, shall file with the  
24 Court a report thereon.

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<sup>1</sup> Defendants’ attorney, Deputy Attorney General Iram Hasan, states that he and Plaintiff met and conferred about the status of the case at the conclusion of the Plaintiff’s November 6 deposition, and that Plaintiff indicated an interest in a global settlement involving both this matter and another matter pending before this Court, *McCurty v. Siordia*, Case No. 19-cv-05761 YGR (PR). Hasan Decl. ¶ 3. Attorney Hasan adds as follows: “After evaluating deposition testimony, the relative positions of the parties, the fact that Plaintiff has a separate but very similar case pending before this Court, and in reliance on Plaintiff’s position regarding settlement, I determined that the parties and judicial resources would be best served by an attempt at settlement before the parties resort to motion practice.” *Id.* ¶ 4.

The Clerk of the Court is directed to serve Magistrate Judge Illman with a copy of this Order, and with a copy of the Court's January 16, 2020 Order of Partial Dismissal and Service, and to notify Magistrate Judge Illman that a copy of the court file can be retrieved from the Court's electronic filing database.

In view of the referral, further proceedings in this case are hereby STAYED. The Clerk shall ADMINISTRATIVELY CLOSE this case until further order of the Court. If the case is not settled, the Court will enter a new scheduling order for further proceedings.

This Order terminates Docket No. 18.

IT IS SO ORDERED.

Dated: December 3, 2020

Yvonne Gonzalez Rogers  
YVONNE GONZALEZ ROGERS  
United States District Judge

United States District Court  
Northern District of California